

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-25, 32, 40, and 41 will be pending. By this amendment, claims 38-39 have been canceled; claims 1-7, 12,13, 15, 18, 20, 23, and 32 have been amended; and claims 40 and 41 have been added. No new matter has been added.

§112 Rejection of Claims 1-25, 32, 38, and 39

In Section 2 of the Office Action, claims 1-25, 32, 38, and 39 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1-7, 12,13, 15, 18, 20, 23, and 32 have been amended to address the rejection.

For example, the steps of fingerprinting method claim 1, as presented herein, includes:

“receiving a plurality of master datasets, each master dataset divided into a plurality of input segments,

wherein at least one master dataset of said plurality of master datasets is uniquely marked; and

producing an output dataset having a plurality of output segments, each output segment of said output dataset generated by:

selecting a corresponding input segment from one of said plurality of master datasets; and

inserting said selected corresponding input segment into said each output segment,

wherein said selecting a corresponding input segment from one of said plurality of master datasets is performed in such a manner that the arrangement of said plurality of output segments in said output dataset provides fingerprinting of said output dataset.”

(emphasis added)

Thus, the fingerprinting method of claim 1 produces an output dataset having a plurality of segments, wherein each segment is selected from a corresponding segment in one of the master datasets, and at least one of the master datasets is uniquely marked. The segment selection process produces a plurality of segments for the output dataset whose arrangement provides fingerprinting of the output dataset. The selection process which produces the arrangement of the segments in the output dataset is performed in a pseudo-random manner (see claim 6) so that each output dataset can be uniquely identified. *Specification, paragraphs 19-26.*

None of the cited prior art references teach or suggest the fingerprinting of the output dataset according to the limitations recited in claim 1. Therefore, claim 1 should be allowable over the cited prior art references. Since independent claims 12, 18, and 32 closely parallel, and include substantially similar limitations as recited in, claim 1, claims 12, 18, and 32 should also be allowable over the cited prior art references. Further, since claims 2-11, 13-17, and 19-25 depend from claims 1, 12, and 18, respectively, claims 2-11, 13-17, and 19-25 should also be allowable over the cited prior art references. Claims 38 and 39 have been canceled and replaced with newly-added claims 40 and 41.

Accordingly, it is submitted that the Examiner's rejection of claims 1-25, 32, 38, and 39 based upon 35 U.S.C. §112 has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claims 40 and 41

Based on the foregoing discussion regarding claim 1, and since newly-added independent claims 40 and 41 closely parallel, and include substantially similar limitations as recited in, claim 1, claims 40 and 41 should also be allowable over the cited prior art references.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-25, 32, 40, and 41 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.


In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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